

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dean DellaPenna *et al.*
Serial No.: 10/751,235 Group No.: 1638
Filed: 01/02/2004 Examiner: Worley, C.K.
Entitled: **Novel Carotenoid Hydroxylases For Use In
Engineering Carotenoid Metabolism In Plants**

**INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 20, 2005.

By: 

Mary Ellen Waite

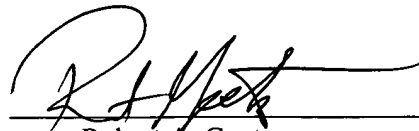
Sir or Madam:

Enclosed please find an Information Disclosure Statement and Form PTO-1449, including copies of the references contained thereon, for filing in the U.S. Patent and Trademark Office.

A check for \$180.00 is also enclosed pursuant to 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement after three months as set forth in C.F.R. § 1.97(c).

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: December 20, 2005



Robert A. Goetz
Registration No. 55,210

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 305
San Francisco, California 94105
608/218-6900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Dean DellaPenna *et al.***
Serial No.: **10/751,235** Group No.: **1638**
Filed: **01/02/2004** Examiner: **Worley, C.K.**
Entitled: **Novel Carotenoid Hydroxylases For Use In
Engineering Carotenoid Metabolism In Plants**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 20, 2005 By: Mary Ellen Waite

Sir or Madam:


The citations listed below may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make these citations of official record in this application.

- U.S. Patent No. 6,642,021
- U.S. Patent No. 6,232,530
- U.S. Patent No. 2003/0207947 A1
- U.S. Patent No. 20020102631A1
- U.S. Patent No. 20020086380A1

- U.S. Patent No. 20030129264A1
- U.S. Patent No. 20030196232A1
- WO 00/32788
- WO 03/001901.
- Nelson et al. Pharmacogenetics, 6:1-42 (1996)
- Niyogi, Annu. Rev. Plant Physiol. Plant Mol. Biol. 50, 333-359 (1999)
- Hirschberg, Curr. Opin. Plant Biol. 4, 210-218 (2001)
- Sun, et al. J. Biol. Chem. 271, 24349-24352 (1996)
- Tian, et al. Plant Mol. Biol. 47, 379-388 (2001)
- Pogson, et al. Plant Cell 8, 1627-1639 (1996)
- Tian, et al. Plant Cell 15, 1320-1332 (2003)
- Chapple, Annu. Rev. Plant Physiol. Plant Mol. Biol. 49, 311-343 (1998)
- Schuler and Werck-Reichhart, Annu. Rev. Plant Biol. 54, 629-667 (2003)
- Back and Chappell, PNAS 93: 6841-6845, (1996)
- Cunningham and Gantt E. Proc Natl Acad Sci U S A. 27;98(5):2905-10 (2001)

This Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: _____

12/20/2005

Robert A. Goetz
Registration No. 55,210

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form 1449/PTO.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/751,235
--------------------	------------

Filing Date	1/2/2004
-------------	----------

First Named Inventor	DellaPenna et al.
----------------------	-------------------

Art Unit	1638
----------	------

Examiner Name	Worley
---------------	--------

Attorney Docket Number	MSU-08604
------------------------	-----------

Sheet	1	of	3
-------	---	----	---

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	8	WO 00/32788	08/06/00			
	9	WO 03/001901				

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/751,235
		Filing Date	1/2/2004
		First Named Inventor	DellaPenna et al.
		Art Unit	1638
		Examiner Name	Worley
Sheet 2	of 3	Attorney Docket Number	MSU-08604

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	10	Nelson et al. Pharmacogenetics, 6:1-42 (1996)	
	11	Niyogi, Annu. Rev. Plant Physiol. Plant Mol. Biol. 50, 333-359 (1999)	
	12	Hirschberg, Curr. Opin. Plant Biol. 4, 210-218 (2001)	
	13	Sun, et al. J. Biol. Chem. 271, 24349-24352 (1996)	
	14	Tian, et al. Plant Mol. Biol. 47, 379-388 (2001)	
	15	Pogson, et al. Plant Cell 8, 1627-1639 (1996)	
	16	Tian, et al. Plant Cell 15, 1320-1332 (2003)	
	17	Chapple, Annu. Rev. Plant Physiol. Plant Mol. Biol. 49, 311-343 (1998)	
	18	Schuler and Werck-Reichhart, Annu. Rev. Plant Biol. 54, 629-667 (2003)	
	19	Back and Chappell, PNAS 93: 6841-6845, (1996)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

